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8 UNITED STATES BANKRUPTCY COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10 In re: Case No. 10-11883  
11 Evette F Minor Chapter 13  
Debtor(s)  
12 \_\_\_\_\_/

13 REQUEST FOR ENTRY OF DEFAULT ORDER GRANTING MOTION TO VALUE LIEN  
14 OF BANK OF NEW YORK / GREE TREE AT \$0 AND AVOID LIEN UPON DISCHARE

15 On October 12, 2010 Debtor filed a motion to value the lien of Bank of New York /  
16 Green Tree Servicing (hereinafter Lienholder) against the property commonly known as 1252  
17 Poplar St, Santa Rosa, CA 95407, Sonoma County AP #037-161-010-000, which lien was  
18 recorded in the Sonoma County Recorder's Office on or about July 15, 2005 as document  
19 2005102470 (hereinafter the Lien). Lienholder having failed to file timely opposition to Debtor's  
20 motion, Debtor requests that the court grant the attached proposed order by default.

21 Date: July 27, 2011 /s/Evan Livingstone  
Evan Livingstone, Attorney for Debtor  
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Date: July 27, 2011

/s/Evan Livingstone

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9 NORTHERN DISTRICT OF CALIFORNIA

10 In re: Case No. 10-11883  
11 Evette F Minor Chapter 13  
Debtor(s)  
12 \_\_\_\_\_/

13 PROPOSED ORDER GRANTING MOTION TO VALUE LIEN OF BANK OF NEW YORK /  
14 GREEN TREE SERVICING AS \$0 AND AVOID LIEN UPON DISCHARGE OF DEBTOR

15 On October 12, 2010 Debtor filed a motion to value the lien of Bank of New York /  
16 Green Tree Servicing (hereinafter Lienholder) against the property commonly known as 1252  
17 Poplar St, Santa Rosa, CA 95407, Sonoma County AP #037-161-010-000, which lien was  
18 recorded in the Sonoma County Recorder's Office on or about July 15, 2005 as document  
19 2005102470 (hereinafter the Lien).

20 The court finds that notice of the motion upon Lienholder was proper. Lienholder having  
21 failed to file timely opposition to Debtor's motion, the court hereby orders as follows.

22 (1) For purposes of Debtor's chapter 13 plan only, the Lien of Bank of New York / Green  
23 Tree Servicing is valued at zero, does not have a secured claim, and the Lien may not be  
24 enforced, pursuant to 11 U.S.C. §§ 506, 1322 (b)(2) and 1327.

1 (2) This order shall become part of Debtor's confirmed chapter 13 plan.

2 (3) Upon entry of a discharge in Debtor's chapter 13 case, the Lien shall be voided for all  
3 purposes, and upon application by Debtor, the court will enter an appropriate form of judgment  
4 voiding the Lien.

5 (4) If Debtor's chapter 13 case is dismissed or converted to one under another chapter  
6 before Debtor obtains a discharge, this order shall cease to be effective and the Lien shall be  
7 retained to the extent recognized by applicable non-bankruptcy law, and upon application by the  
8 lienholder, the court will enter an appropriate form of order restoring the Lien.

9 (5) Except as provided by separate, subsequent order of this court, the Lien may not be  
10 enforced so long as this order remains in effect.

11 \*\* END OF ORDER \*\*  
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10 In re: Case No. 10-11883  
11 Evette F Minor Chapter 13  
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13 CERTIFICATE OF SERVICE

14 I hereby certify that on July 27, 2011, pursuant to BR Local Rule 9014-1(b)(4), a copy of  
15 above REQUEST FOR ENTRY OF DEFAULT ORDER GRANTING MOTION TO VALUE  
16 LIEN OF BANK OF NEW YORK / GREE TREE AT \$0 AND AVOID LIEN UPON  
17 DISCHARE as well as a copy of Debtor(s) PROPOSED ORDER ON MOTION TO VALUE  
18 LIEN OF SECURED CREDITOR AS \$0 AND AVOID LIEN ON DISCHARGE, was served, to  
19 the United States Trustee and the Chapter 13 Trustee, electronically and to the creditor listed  
20 below by first-class mail.

21 Keith Anderson, President  
Green Tree Servicing LLC  
22 7360 S. Kyrene Rd. Recovery Dept. T-120  
Tempe, AZ 85283

23 Date: July 27, 2011 /s/Evan Livingstone  
24 Evan Livingstone